

**LEON COUNTY
GROWTH AND ENVIRONMENTAL MANAGEMENT DEPARTMENT
DEVELOPMENT REVIEW COMMITTEE STAFF REPORT**

STAFF RECOMMENDATION: *RECOMMEND TO THE BOARD OF COUNTY
COMMISSIONERS APPROVAL WITH CONDITIONS*

PROJECT NAME: **St. Francis of Assisi Church Fellowship Hall Addition**
3413 Old Bainbridge Road
Tallahassee, FL 32303
(850) 562-1595

APPLICANT: Episcopal Church Diocese
3413 Old Bainbridge Road
Tallahassee, FL 32303
(850) 562-1595

AGENT: DEC Engineering, Inc. (Att. Kevin Hayes)
2467 Centerville Road
Tallahassee, FL 32308
(850) 385-5288

SUMMARY OF THE APPLICATION:

The request is for a 4,060 square feet fellowship hall which will be an addition to the existing 7,824 square feet religious facility. The church is located at 3413 Old Bainbridge Road on 6.57 acres. Old Bainbridge Road is designated by Leon County as a canopy road; however, the existing driveway for the church is located on Ashby Hill Road. The only disturbance in the canopy area will be for a 20-foot utility easement for sanitary sewer as required by the City of Tallahassee. Approval from the Canopy Roads Committee for this 20-foot utility easement was granted on May 17, 2004.

Electricity, water and sewer will be provided by the City of Tallahassee.

DATE OF DRC MEETING: August 18, 2004

DATE OF PRE-APP: The proposal was initially submitted as a Type "A" level site and development plan request without a pre-application meeting. Subsequent to the Technical Review Meeting on the application, the project was elevated to a Type "C" level of review based on the provisions outlined in Section 10-957 of the Land Development Regulations (LDRs), regarding development proposals impacting the Canopy

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Road Overlay Zone. All site plans within a canopy road overlay require final review and approval by the Board of County Commissioners.

**DATE OF TECHNICAL
STAFF REVIEW:**

December 17, 2003

STAFF PLANNER:

Joan Schairer, Development Services Coordinator

TAX ID#:

21-09-51-732-1580

PARCEL SIZE:

6.57 acres +/-

LOCATION:

3413 Old Bainbridge Road [bounded by Ashby Hill Road (local), Old Bainbridge Road (minor arterial) and Swatts Road (local)]

ROADWAY ACCESS:

Ashby Hill Road (local), driveway in existence since 1974

ZONING DISTRICT:

Residential Preservation (RP)

FUTURE LAND USE:

Residential Preservation (RP)

**INSIDE/OUTSIDE
URBAN SERVICES AREA:**

Inside

ZONING PATTERN:

North: Residential Preservation (RP)
South: Residential Preservation (RP) and City Limits (R-4)
East: Residential Preservation (RP)
West: City Limits (RP-2)

**ADJOINING EXISTING
LAND USES:**

North: Single Family Residential
East: Single Family Residential
West: Vacant
South: City Limits (Camellia Garden Condominiums)

**PERMITTED USE
VERIFICATION:**

VC030091R (Revised 12/03/03)

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Site Plan and Subdivision Review Criteria: In deciding whether to recommend approval, approval with conditions, or to deny a site plan to the Board of County Commissioners, the Development Review Committee shall determine pursuant to Section 10-1482, Type C Review:

- (a) Whether the applicable zoning standards and requirements have been met;
- (b) Whether the applicable criteria of the Environmental Management Act have been met;
- (c) Whether the requirements of other applicable regulations or ordinances which impose specific requirements on the proposed development have been met.

Growth and Environmental Management Staff Findings: The staff is generally responsible for reviewing a site plan application to ensure that the application meets the applicable requirements set forth in the Zoning, Site Plan, and Subdivision Regulations (Section 10 of the Leon County Code of Laws).

Pursuant to the review criteria identified in Section 10-1479.1, Type C Review, the Growth and Environmental Management findings are as follows:

Concurrency (Section 10-140):

A Preliminary Certificate of Concurrency for the proposed church addition was issued on December 9, 2003. A Final Certificate of Concurrency will be issued upon approval of this Type "C" site and development plan.

Zoning District Issues (Section 10-920):

The subject parcel is located in the Residential Preservation zoning district. Religious organizations are allowable uses in this zoning district.

Buffer Zone Standards (Section 10-923):

A Type "B" buffer is required along the north property line. The buffer is required due to the adjacent single family homes.

Finding: The site and development plan dated August 3, 2004, includes the Type "B" buffer along the northern property line.

Conservation/Preservation Area (Sections 10-953, 973, 974).

The Natural Features Inventory (NFI) was approved by Leann Tanis, Environmental Review Specialist, on October 13, 2003. The Environmental Impact Analysis (EIA) was approved by Grady Underwood, Environmental Review Specialist, on August 2, 2004.

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Canopy Road Overlay District (Sections 10-957 and 10-972):

Old Bainbridge Road is designated as a canopy road by Leon County. The City of Tallahassee Utility Division required a 20-foot sewer easement within a portion of the canopy road overlay.

Finding: The Canopy Roads Citizen Committee met on May 17, 2004, and approved the location of the easement as depicted in the site and development plan submittal of August 3, 2004. The easement document must be finalized and forwarded to Grady Underwood in Environmental Compliance so that the easement may be placed on the Board of County Commissioners agenda. The easement must be accepted by the Board of County Commissioners prior to the issuance of any permits for the proposed addition.

Parking and Loading Requirements (Division 7, Section 10-1028):

Parking standards for religious organizations require one (1) regular parking space per 100 gross square feet of sanctuary. The parking includes 45 impervious and pervious regular parking spaces with a grass (pervious) overflow parking area for 35 regular parking spaces. Three (3) handicap accessible spaces are on-site and three (3) bicycle spaces are shown on the site plan.

Finding: All parking is existing. No new parking will be added to the site and development plan. Section 10-1029 allows churches to use pervious or impervious parking. However, the bicycle spaces are not adequate and must be increased to at least five (5) spaces.

Accessory Structures (Section 10-1102):

Accessory structures must be located at least seven and one half feet from the property line, and a minimum of six feet from any other structure. They may not be located in a buffer or landscape area, nor in the front or side corner yard. Any proposed accessory structures must be shown in the concept development plan, and shall be included in all calculations of pervious and impervious areas.

Finding: The existing portable (280 sq. ft.) building has been relocated 40-feet southeast of its present location. The portable building meets the setbacks as stated above. However, the setbacks must be shown on the site and development plan.

Leon County/City of Tallahassee Water and Sewer Agreement:

This agreement was adopted April 27, 1993 and requires connection within the Urban Service Area to the City of Tallahassee services if the service(s) is (are) available or within 1,000 feet of the proposed site. The proposed site and development plan is within the City's franchise area and is within 1,000 feet of available service.

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Finding: The existing Church is connected to the City's water system. The Church will be connecting to the City's sewer system as noted on Sheet 3 of the site plan. Under Utility Notes on Sheet 3, Number 5 states that the existing septic systems will be abandoned.

Development Standards (Sections 10-1210):

The following design criteria for the Residential Preservation zoning district for this religious facility are based on the A-2 Zoning District from the 1984 Leon County Zoning Code. (The existing church facility was constructed prior to the adoption of the current zoning code, the development standards required in the Residential Preservation District inside the Urban Service Area will be dictated by the A-2 Zoning District from the 1984 Leon County Zoning Code.)

Minimum Lot Area: Not Applicable

Minimum Lot Width: 100 feet

Minimum Lot Depth: 150 feet

Minimum Height: 35 feet

Minimum Building Setbacks:

	<u>Building</u>	<u>Parking</u>
Front	25 feet	0 feet
Corner	25 feet	0 feet
Side	15 feet	0 feet
Rear	50 feet	0 feet

Maximum Impervious Surface Area: 30 %

Lighting: Outside lighting for the parking areas and buildings must be directed away from the residential properties and oncoming vehicular traffic along Ashby Road, Swatts Road and Old Bainbridge Road.

Finding: The site and development plan dated August 3, 2004, meets these standards. However, staff recommends a note regarding lighting to be directed away from residential properties and oncoming traffic along Ashby, Swatts and Old Bainbridge Roads.

Permitted Use Verification (Section 10-1477):

Approved: July 1, 2003 Revised: December 10, 2003

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The parcel referenced above is eligible for the development of a 4,060 square feet addition to the existing religious facility. The subject property is zoned Residential Preservation (RP) and is located inside the Urban Service Area (USA). Religious facilities are classified as Special Exception Uses in the Residential Preservation zoning district. Proposed site and development plans for the expansion of existing religious facilities in accordance with Ordinance No. 03-21 amending Chapter 10, Sections 10-954, 10-1479.1, 10-1489 of the Leon County Code of Laws require all special exception uses in any zoning district to be reviewed pursuant to the procedures for a Type "C" Site and Development Plan. Ancillary uses, such as a daycare, are not allowed in this zoning district.

Comprehensive Plan Issues:

Community facilities (services) by definition in the Comprehensive Plan includes religious facilities. Comprehensive Plan Policy LU 1.4.8 allows community services (religious facilities) in the Residential Preservation zoning district.

Finding: The church does not have an existing or a proposed educational school or day care facility for this location. The church has been at this location since 1974 which is prior to the adoption of a zoning code by the County. The existing driveway on Ashby Hill Road will not be modified.

Leon County Growth and Environmental Management:

Growth and Environmental Management recommends approval with conditions to the Board of County Commissioners. The recommendation is based on the above referenced findings and the incorporation of the following conditions into the site and development plan:

1. Modify the Sheets 2, 3 and 4 of the site plan to include the setbacks from the existing buildings to the relocated portable building.
2. Modify the Sheets on 2, 3 and 4 of the site plan to include a statement, "Any proposed outside lighting for the building or parking must be directed away from the residential property and on-coming traffic from the adjacent roads."
3. Modify the Sheets 2, 3 and 4 of the site plan to include parking for five (5) bicycles.
4. Correct the spelling of "width" on Sheets 2, 3 and 4 to read, "20' increase in width of the canopy road protection zone to compensate for the sewer line encroachment."

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5. Provide the "utility (sewer) easement document" to Grady Underwood, Environmental Review Specialist. (This easement must be accepted by the Board of County Commissioners prior to the issuance of any permits.)
6. Modify the note on Sheet 3 of the site and development plan to read, "A permit to abandon the septic system is required by the Leon County Public Health Unit."

Responses to Notification:

102 notices mailed
0 response returned
3 returned as undeliverable

Attachments:

Attachment #1: August 2, 2004, letter from Grady Underwood, Environmental Review Specialist
Attachment #2: Preliminary Certificate of Concurrency issued by Brian Waterman, August 9, 2004



BOARD OF COUNTY COMMISSIONERS

301 South Monroe Street
Tallahassee, Florida 32301
(850) 488-4710

Growth & Environmental Management
3401 W. Tharpe Street
Tallahassee, FL 32303
(850) 488-9300

Commissioners:
WILLIAM C. PROCTOR, JR.
District 1

JANE G. SAULS
District 2

DAN WINCHESTER
District 3

TONY GRIPPA
District 4

BOB RACKLEFF
District 5

RUDY MALOY
At-Large

CLIFF THAELL
At-Large

PARWEZ ALAM
County Administrator
(850) 488-9962

HERBERT W.A. THIELE
County Attorney
(850) 487-1008

August 2, 2004

Kevin Hayes
DEC Engineering, Inc.
2467 Centerville Road
Tallahassee, Florida 32308

RE: EIA Approval

**Project: Saint Frances of Assisi Expansion
Environmental Impact Analysis LEA 04-0062
Parcel ID 21-09-51-732-1580**

Dear Mr. Hayes:

We have completed a preliminary review of the above referenced revised plan received on 7/21/2004. Your EIA application LEA 04-0062 is approved.

Please call me at 488-9300 concerning any questions on the project approval.

Sincerely,

Grady Underwood
Environmental Review Specialist

Leon County, Department of Growth & Environmental Management

MEMORANDUM

TO: Joan Schairer

FROM: Grady Underwood, Environmental Review Specialist *GP*

CC: Clay Carithers

DATE: August 13, 2004

RE: **Saint Francis Of Assisi
Type C Site and Development Plan-DRC Meeting
Parcel ID: 21-09-732-158-0**

We have conducted a review of the referenced project for its consistency with stormwater, landscaping, and environmental protection requirements found in Section 10 of the Leon County Code of Laws. We find the plan to be in general compliance with EMA requirements.

Two trees located within the canopy road protection zone (CRPZ) will require removal for proposed sewer construction. Under the provisions of the EMA, only the BCC has the power to grant or deny a tree removal application. Staff will send an agenda request, concerning this item, to the BCC during Environmental Permitting.

This project will require a Conservation Easement for extending the width of the existing CPRZ on Old Bainbridge Road. The extension is required within the area disturbed by proposed sewer construction. The proposed Conservation Easement will be placed on the BCC agenda at the time of Environmental Permitting.

Certificate Number: LCM030100
Date Issued: 12/09/2003
Expiration Date: 08/31/2004

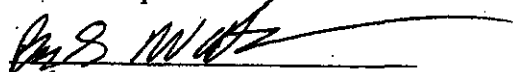
LEON COUNTY
PRELIMINARY CERTIFICATE OF CONCURRENCY

Applicant.....: EPISCOPAL CHURCH DIOCESE
Owner.....: EPISCOPAL CH DIOCESE
Project Name.....: ST. FRANCIS OF ASSISI
Project Location: 3413 OLD BAINBRIDGE RD
Current Zoning: RESIDENTIAL PRESERVATION
Future Use Description: RES PRESERVATION
Parcel I.D. Number(s) 21-09-51-732-1580

Type of Land Use:
Church/Synagogue 4060 SQFT

Conditions:

This Preliminary Certificate of Concurrence is issued pursuant to Article VI of Chapter 10 of Leon County Code of Laws. Based upon the information submitted by the applicant, this certificate certifies that a development with the land use densities and intensities specified at the location specified above will have adequate infrastructure capacity tentatively reserved for water, wastewater, solid waste, recreation, mass transit, stormwater and transportation to serve the needs of the development. The information provided by the applicant has not been verified as accurate by staff. Upon notification from the Development Review and Inspection Division that a complete application for a Development Order is received from the applicant, staff will begin the assessment of the information received from the applicant. This permit in no way gives the proposed development any final authorization to develop, nor does it absolve the applicant from fulfilling the requirements of any Federal, State, County, or City Laws or regulations related to land use and land development.


Development Review and
Inspection Division


Date

**TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT
MEMORANDUM**

TO: Development Review Committee Members
FROM: Wayne Tedder, AICP, Director
DATE: August 16, 2004
SUBJECT: DRC Meeting of August 18, 2004
Saint Francis of Assisi Expansion - Type "B"

Project: Saint Francis of Assisi Expansion - Type "B"
Applicant: Episcopal Church Diocese, Tallahassee FL
Agent: DEC Engineering, Inc.
Parcel I. D.: 21-09-51-732-158-0
Future Land Use Map Designation: Urban Fringe (UF)
Zoning District: Urban Fringe (UF)

Planning Department Findings:

1. The proposed site and development plan appears to be consistent with the *Tallahassee-Leon County Comprehensive Plan*.
2. Vegetation has been removed and electric utilities extended through portions of the designated Canopy Road Protection Zone on-site, along Old Bainbridge Road. According to records, the electric utilities are not located within an easement.
3. The site and development plan proposes extension of sewer utility infrastructure from the City of Tallahassee Utilities to serve the site. This will require removal of additional vegetation through an adjacent portion of the designated Canopy Road Protection Zone. The sewer infrastructure is proposed to be located within a 20' wide utility easement (much of it within the designated Canopy Road Protection Zone).
4. Pursuant to Section 10-972 (c)(3), *Leon County Land Development Code*: No clearing may occur in the canopy road overlay, (100 feet from the centerline of the road) unless authorized for health, safety or welfare of the public. Pursuant to Section 10-972 (c)(4), *Leon County Land Development Code*: Any part of the canopy road overlay that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed. Attachment #1 includes provisions from the Tallahassee-Leon County Comprehensive Plan and the Leon County Land Development Code pertaining to Canopy Road resource protection.
5. The extension of sanitary sewer infrastructure furthers public and environmental health objectives, in compliance with Section 10-972 (c)(3), and the site and development plan includes additional "compensatory" area to be protected through inclusion within a Conservation Easement (presumably to Leon County) adjacent to the designated Canopy Road Protection Zone, in compliance with Section 10-972 (c)(4).
6. Pursuant to the Canopy Road Management Plan Interlocal Agreement and the Canopy Roads Citizens Committee Bylaws, all development applications with the potential for impact upon designated Canopy Roads (and the resources included within the Canopy Road Protection Zone) are required to be reviewed for comment and recommendation by the Canopy Roads Citizens Committee (CRCC). The application was reviewed by the CRCC on May 17, 2004. The Committee voted to accept the applicant's proposed location of utility easement.

7. The application has also been reviewed by the Department's Urban Forester in the Fall of 2003. The Urban Forester's review supported the applicant's proposal and specified a number of recommendations pertaining to the protection of resources within the Canopy Road Protection Zone, as referenced in the memorandum of December 9, 2003, included as Attachment #2.
8. The site and development plan illustrates the provision of a stormwater management facility with slopes shallower than 4:1. Planning Department staff acknowledges that fencing is not required for such "shallow" facilities; it is not clear from the site and development plan, however, whether fencing will be provided.

Planning Department Recommendation:

Based upon the findings provided above, the Planning Department recommends that this application be approved, subject to the following conditions:

1. Revise the site and development plan to include the following annotation: "A hog-wire fence with steel posts shall be installed along the entire back edge of the Canopy Road Protection Zone starting at Ashby Hill Road and ending at Swatts Road. The fence is to keep vehicles, construction equipment, construction materials, port-a-johns, etc. out of the Canopy Road Protection Zone. Any silt fence needed along the Canopy Road Protection Zone shall not be trenched in. Silt fence may be attached to the hog-wire fence and anchored along the bottom with staked-in hay bales. No new utilities shall be installed through the Canopy Road Protection Zone; new utilities should come into the site from the adjoining streets, i.e., Ashby Hill Road and Swatts Road."
2. Revise the site and development plan to specify whether fencing will be provided surrounding the stormwater management facility. Note: this is not intended as requirement that such fencing be provided.

Attachment #1:

Canopy Road Provisions from the Tallahassee-Leon County Comprehensive Plan and the Leon County Land Development Code

Comprehensive Plan citations

Conservation Element

Objective 3.4: Local government shall protect, maintain and improve the designated canopy roads.

Policy 3.4.1:

By 1992, define specific attributes unique to each canopy road, how to maximize the roadway without destroying it, and identify alternative traffic routes.

Policy 3.4.2:

By 1992, develop and implement management plans to maintain each canopy road according to its unique attributes. Such plans shall incorporate appropriate safety provisions.

Policy 3.4.3:

Provide an urban forest management professional to assist in implementing canopy road management plans.

Policy 3.4.4:

Prohibit new subdivisions and development that would allow development to occur within 100 feet of the centerline of a canopy road without the express approval of the local government. No clearing may occur in the canopy road zone (cpz) (100 feet from the center line of the road) unless authorized for legal access (provided no other alternative exists), or health, safety or welfare of the public or for sidewalk improvements as approved by the local government provided they meet the following criteria:

- a. Clearing in the canopy road zone (cpz) will be kept to a minimum.
- b. A variety of surfaces will be evaluated for use in the sidewalk/pathway through the CPZ based on impact to the resource (cpz trees and vegetation), location of the sidewalk/pathway, and anticipated use.
- c. Sidewalks may not always be required in the cpz given the impact to the cpz or encroachment on other conservation or preservation features.

Policy 3.4.5:

Mitigation requirements shall be established and utilized to condition approvals for those projects which intrude on the area within 100 feet of the centerline of a designated canopy road.

Policy 3.4.6:

Prohibit subdivision of property along canopy roads which would require the significant increase of driveways to provide legal access to newly created parcels.

Policy 3.4.7:

Major criteria for approving development along canopy roads will be the minimizing of traffic impacts and the limiting of driveway access to the canopy road.

Policy 3.4.8:

Integrated access will be required for new subdivisions along canopy roads.

Policy 3.4.9:

Land uses which generate or attract large volumes of traffic shall be discouraged along designated canopy corridors.

Policy 3.4.10:

Medium and high density residential, commercial and office uses will be allowed on designated canopy roads only where there is alternate access to a road other than a canopy road. A single secondary access to the canopy road on lots which front Capital Circle and a canopy road may be allowed in association with public improvements to such intersections if all of the following criteria are met:

- 1) Full movement joint or direct access to the arterial is unfeasible;
- 2) A replanting/restoration plan which enhances and maintains the long term viability of the canopy is guaranteed by the property owner; and
- 3) Landscaping easements are granted to the city in order to ensure the implementation of a replanting/restoration plan.

These provisions would not apply to parcels having only access from a canopy road within the Activity Center.

Policy 3.4.11:

Local government shall allow for certain unpaved portions of Canopy Road designated roadways or road segments to remain unpaved when paving or other roadway improvements would negatively impact the canopy vegetation or the historical or natural character of the roadway.

Leon County Land Development Code citations

Sec. 10-972. Canopy roads overlay district.

(a) **Purpose and intent.** The purpose and intent of the canopy roads overlay district is to ensure the preservation and protection of the canopy road trees on the following roads:

- (1) Meridian Road from its intersection with Seventh Avenue to the state line.
- (2) Magnolia Drive--Centerville Road--Moccasin Gap Road from their intersection with Seventh Avenue to State Road 59.

- (3) Miccosukee Road from its intersection with Capital Circle to Moccasin Gap Road.

- (4) Old St. Augustine Road from its intersection with East Lafayette Street to W. W. Kelley Road.

- (5) Old Bainbridge Road from its intersection with Raa Avenue to Capital Circle.

- (6) Sunny Hill Road from its intersection with Thomasville Road to Old Centerville Road.

- (7) Old Centerville Road from its intersection with Centerville Road to the state line.

(b) **Allowable land use.** The uses permitted in the canopy road overlay district are those uses permitted in the underlying zoning district.

(c) **Development standards.** The canopy road overlay includes as all lands within 100 feet from the centerlines of the roadways. The following special restrictions shall apply within the canopy road overlay:

- (1) All structures shall be set back a minimum of 100 feet from the centerline of the canopy road.

- (2) Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height.

- (3) No clearing may occur in the canopy road overlay, (100 feet from the centerline of the road) unless authorized for health, safety or welfare of the public.

- (4) Any part of the canopy road overlay that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed.

- (5) A full analysis of the impact of a development on the affected canopy road shall be submitted by the applicant at the time of development review.

- (6) Joint access to canopy roads shall be required unless there is no alternative. New curb cuts on canopy roads shall be designed to serve more than one development.

- (7) If the site is accessible by roads other than the canopy road, it shall not have direct access to the canopy road.

(Ord. No. 92-10, § 2(5.9(A)), 3-10-92; Ord. No. 94-8, §§ 1, 2, 3-15-94; Ord. No. 01-19, § 2, 9-18-01; Ord. No. 02-14, § 2, 7-23-02)